

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JOSH BRUECKNER

Plaintiff,

-against-

20-CV-3323

**OBJECTION TO PROPOSED
JUDGMENT**

YOU CAN BEAM LLC,

Defendant

Defendant You Can Beam LLC, by its attorney Mark J. McCarthy, submits the following as an objection to the “Proposed Order of Judgment” filed on behalf of Plaintiff Josh Brueckner. (Dkt. No. 27).

The Proposed Order of Judgment states:

“WHEREAS, the agreement at issue required Defendant to make monthly payments of \$15,000 to Plaintiff for six months and provide one month’s notice prior to termination, or seven \$15,000 payments in total,,,”

This language is directly in contradiction with the “Memorandum & Order” (the “Order”) of the Court dated May 27, 2021. (Dkt. No. 26).

The Court specifically stated in the Order as follows with regard to the number of months compensation Plaintiff was entitled to (based on the determination Defendant did not properly terminate the agreement at issue:

““Unless the contract was properly terminated, then, Brueckner was entitled to and additional \$75,000 for the remaining five months of the term.”. Order at pg. 9.

In light of this specific determination the Proposed Judgment is in error in calling for damages of \$90,000.00 plus interest, but rather is entitled to \$75,000.00 plus interest.

Respectfully submitted,

Dated: June 2, 2021

McCarthy Law

/s/ Mark J. McCarthy

Mark J. McCarthy (Roll #803376)

PO Box 1396

Albany, NY 12201

518.527.9965

mark@mjmccarthylaw.com